

Appln. No. 10/825,512
Docket No. 14XT128812/GEM-0155

REMARKS / ARGUMENTS

Applicant appreciates the Examiner's comments regarding receipt acknowledgement of all certified copies of the priority documents relating to the claim for foreign priority.

Status of Claims

Claims 1-96 are pending in the application. Claims 61-95 are withdrawn from consideration. Claims 1-60 are allowed. Claim 96 stands rejected. Applicant appreciates the Examiner's notation of the allowed claims. Applicant has canceled Claims 61-95, and has amended Claim 96, leaving Claims 1-60 and 96 for consideration upon entry of the present Amendment.

These amendments and accompanying remarks were not presented earlier because Applicant did not fully appreciate the nature of the Examiner's position until the Applicant was advised of the position by the final rejection.

Applicant respectfully submits that the rejections under 35 U.S.C. §112, second paragraph, have been traversed, that no new matter has been entered, and that the application is in condition for allowance.

Objections to the Specification

The specification is objected to for formal reasons relating to the brief description of the drawings.

Applicant has amended the specification as set forth above to address the matters of formality, and respectfully requests reconsideration and withdrawal of this objection, which Applicant considers to be obviated.

Appl. No. 10/825,512
Docket No. 14XT128812/GEM-0155

Rejections Under 35 U.S.C. §112, Second Paragraph

Claim 96 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

The Examiner comments that Applicant should clarify what is meant by line 2 of Claim 96 reciting “the ring comprises a diabolo shape”.

Applicant traverses this rejection for the following reasons.

Applicant has amended Claim 96 as set forth above to more particularly point out and distinctly claim the subject matter regarded as the invention.

In view of the foregoing, Applicant respectfully submits that the claimed subject matter is described in such a manner that reasonably conveys to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention, which is now distinctly claimed. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection, which Applicant considers to be traversed.

Applicant has amended the claims for presentation in a better form that more clearly reflects Applicant's invention, and in light of the foregoing remarks and amendments, Applicant respectfully submits that the proposed amendments and arguments comply with 37 C.F.R. §1.116 and should therefore be entered, and with their entry that the Examiner's rejections under 35 U.S.C. §112, second paragraph, have been traversed, and that the application is now in condition for allowance. Such action is therefore respectfully requested.

Appln. No. 10/R25,512
Docket No. 14XT128812/GEM-0155

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 50-2513.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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